SENATE, No. 3010

STATE OF NEW JERSEY

214th LEGISLATURE

INTRODUCED JULY 12, 2011

Sponsored by:
Senator NICHOLAS J. SACCO
District 32 (Bergen and Hudson)
Senator LINDA R. GREENSTEIN
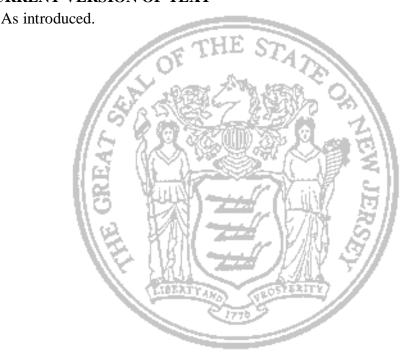**District 14 (Mercer and Middlesex)**

Co-Sponsored by:
Senators Codey, Girgenti, Buono, Vitale, Ruiz, Scutari, Rice, Weinberg, Beach, Turner, Gordon, Stack, Cunningham, Van Drew, Norcross, Madden, B.Smith, Sarlo, Whelan, Lesniak and Sweeney

SYNOPSIS
   "Caylee's Law;" upgrades penalties for failing to report a death; criminalizes failure to report disappearance of child within 24 hours.

CURRENT VERSION OF TEXT
   As introduced.

1   **AN ACT** concerning certain reporting requirements, designated as
2   Caylee's Law, amending P.L.1967, c.234, and supplementing
3   chapter 12 of Title 2C of the New Jersey Statutes.
4
5   **BE IT ENACTED** *by the Senate and General Assembly of the State*
6   *of New Jersey:*
7
8   1. Section 12 of P.L.1967, c.234 (C.52:17B-89) is amended to
9   read as follows:
10   12. Any person who may become aware of any death by
11   criminal violence **[**or**]**, by accident or suicide, or in any suspicious
12   or unusual manner, shall report **[**such**]** that death to the office of
13   county medical examiner, the office of State Medical Examiner, or
14   to the police department of the municipality in which **[**such**]** the
15   person died.
16   Any person who shall willfully neglect or refuse to report **[**such**]**
17   the death, or who, without an order from the office of county
18   medical examiner or the office of State Medical Examiner, shall
19   willfully touch, remove, or disturb the body of **[**any such**]** the
20   person, or touch, remove or disturb the clothing upon or near
21   **[**such**]** the body, is **[**a disorderly person**]** guilty of a crime of the
22   fourth degree.
23   (cf: P.L.1967, c.234, s.12)
24
25   2. (New section) a. A parent, guardian, or other person with
26   legal custody of a child who knew or should have known of the
27   disappearance of a child for which that parent, guardian, or other
28   person is responsible who fails to report the missing child to the
29   appropriate law enforcement agency within 24 hours shall be guilty
30   of a crime of the fourth degree.
31   b. For the purposes of this section, a "missing child" means a
32   person 13 years of age or younger whose whereabouts are not
33   currently known.
34
35   3. This act shall take effect immediately.
36
37
38   STATEMENT
39
40   This bill would increase the penalties for failing to report a death
41   and would make it crime for failing to report a missing child.
42   Under current law, a person who becomes aware of a death by
43   criminal violence or accident is required to report that death to the
44   county medical examiner, the State Medical Examiner, or the

1   municipal police department where the death occurred. A person
2   who willfully neglects or refuses to report the death, or
3   who touches, removes, or disturbs the body of the dead person, is
4   guilty of a disorderly persons offense. A disorderly persons offense
5   is punishable by up to six months in prison, a fine of up to $1,000,
6   or both. This bill would upgrade this offense to a crime of the
7   fourth degree. Fourth degree crimes are punishable by a term of
8   imprisonment of up to 18 months, a fine of up to $10,000, or both.
9   The bill also makes it a crime of the fourth degree for a
10   responsible parent, guardian, or other person with legal custody of a
11   child who knew or should have known of the disappearance of that
12   child to fail to report the missing child to the appropriate law
13   enforcement agency within 24 hours.
14   This bill, named "Caylee's Law," is in response to the tragic case
15   of Caylee Anthony, whose mother, Casey Anthony, was recently
16   found not guilty of Caylee's murder. In that case, Caylee Anthony
17   was missing for 31 days before her disappearance was reported by
18   her grandmother. This bill addresses this situation by imposing
19   harsher penalties on anyone who fails to report a child's death and
20   criminalizing the failure of parents to promptly notify authorities
21   when their child is missing.